

### **REMARKS**

Applicant's attorney would like to thank Examiner Fortuna for his helpful comments made during a telephone conversation with the undersigned attorney on November 28, 2005. At that time, Examiner Fortuna stated that with regard to paragraph 1 of the Official Action, applicant could submit an additional figure such as the Figure 9 submitted in applicant's communication filed on June 20, 2005 with an explanation as to why it does not introduce new matter.

The enclosed new Figure 4 corresponds to Figure 9 submitted in applicant's response filed on June 20, 2005. In addition, amendment to the specification has been made to indicate that Figure 4 is a perspective view of the embodiment of the dispersing device shown in Figure 1.

Applicant's attorney respectfully submits that Figure 4 is presented merely to aid in visualizing the dispersing device, but that it is not necessary for the present application to be enabling to a person of ordinary skill in the art. No new matter is presented since the elements shown in Figure 4 correspond exactly to those elements shown in Figures 1 and 3, with Figure 4 merely showing those elements from a perspective view.

With regard to the objection to the specification and claims at paragraph 2 of the Official Action, amendment has been made to claims 5, 6, 18 and 19 to indicate that the word "density" should be changed to "consistency," as well as at page 5, lines 18 and 33. It is believed that this amendment to the specification and claims does not introduce new matter since the word "density" in the context explained in the specification at page 5, lines 18-33 shows to a person of ordinary skill in the art, that it is in fact the consistency of the waste paper or pulp that is being referred to therein. It should be noted that the present application is based upon Finnish priority application 19992010 and that in said Finnish application, the corresponding term used is "sakeus," which translates in the context used therein to "consistency."

The abstract has also been amended to correct a typographical error in the reference numeral for the blade surfaces.

Referring now to paragraphs 3 and 4 of the Official Action, it is respectfully submitted that the rejection of claims 1-7 and 16-20 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement in that the density of the pulp has been indicated as a percentage and therefore it is unclear if the percentage refers to a change of density of the pulp or density has been erroneously used, has been corrected for the reasons set forth above. Therefore, it is respectfully submitted that the written description requirement of the specification has been met.

Referring now to paragraphs 5 and 6 of the Official Action, claims 1-7 and 16-20 are rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. The various antecedent basis rejections and the vague and indefiniteness rejection concerning claims 5-6, 18 and 19 concerning the use of density as a percentage have been corrected in the amended claims herein.

Referring now to paragraphs 7, 8 and 10 of the Official Action, it is respectfully submitted that claims 1-3, 16 and 20, as amended, are not obvious under 35 U.S.C. §103(e) in view of US patent 5,730,376, Schneid et al, further in view of US patent 6,363,601, Schneid. At paragraph 10 it is stated that Schneid et al teaches a method of dispersing pulp containing solid material in a liquid phase in a dispersing device; referencing Figures 1 and 4 of Schneid et al where the dispersing takes place in narrow openings (a) between rotating protruding blades where the blades have conical surfaces (3, 3', 3'') and (4, 4', 4'') on the rotor (2) and stator (1). Paragraph 10 further states that Figure 4 shows a running wheel which would rotate the blades and act as a pump to pump the dispersing material out of the dispersing device.

A review of Schneid et al shows that it is directed to an apparatus for regulating the dispersion of a highly consistent fibrous substance by adjusting the size of the exit openings. This regulates a pressure or degree of compression and filling level of the dispersing device (see column 1, line 61 through column 2, line 14). Schneid et al

thereby limits the outlet flow of the pulp from the dispersing device. The recited expulsion mechanism 8 includes the teeth 10 (see Figure 3 and column 3, lines 40-56), but does not disclose or suggest a running wheel as disclosed and claimed in the present application.

Figure 4 of Schneid et al is a schematic illustration of another embodiment of the apparatus that illustrates an implement constructed that applies not only for an axial stream of fibrous substance but also for radial movement (see column 3, lines 57-59). A cylindrical dispersing device appears to be shown in Figure 4 where it is possible to adjust the size of the exit opening (see column 3, lines 57-67). However, an examination of Figure 4 of Schneid et al does not in any way disclose or suggest a solution in which a running wheel functions as a pump by which the pulp is pumped out of the dispersing device by centrifugal force as disclosed and claimed in the present application in claim 1.

Further, in paragraph 10 of the Official Action, it is stated that Schneid teaches in column 1, lines 34-47 that it is common to use a cone-shaped disperser to disperse high to medium consistency pulps and therefore the disperser of Schneid et al could be made into a cone-shaped structure. However, the recited portion of Schneid does not suggest why there would be a motivation to change a cylindrically shaped dispersing device as in Schneid et al to a cone-shaped dispersing device. See MPEP §2143.01.

Therefore, it is not seen where there would be any motivation in Schneid et al or in Schneid to combine these two references in the manner as suggested. Furthermore, it should be noted that Schneid is directed to a solution to the problem of bonding a processing element and a base with an elastic bonding material. Although in the referenced section of Schneid it is stated that machines for higher pulp densities (such as dispersers) have at least one rotor and at least one stator with either disk-shaped or coned-shaped surfaces onto which the fittings are applied so that the gaps may be formed between them, there is no suggestion in the remainder of Schneid of combining the teachings therein with that of Schneid et al in the manner as suggested by the Official Action.

In any event, even if the disperser in Schneid could be modified to have conical surfaces, there is no suggestion in either of the cited references of a method for dispersing pulp characterized in that the dispersing event takes place in a narrow opening between the conical surfaces with the protruding blades, at an outlet end of the dispersing device of which there is arranged a running wheel that acts as a pump by which the pulp is pumped out of the dispersing device by centrifugal force. It is therefore respectfully submitted that the method of dispersing pulp as recited in claim 1 is not suggested by Schneid et al further in view of Schneid.

Since claim 1 is believed to be distinguished over Schneid et al in view of Schneid, it is respectfully submitted that claims 2-3, 16 and 20 are further distinguished over Schneid et al in view of Schneid.

Referring now to paragraph 11 of the Official Action, claims 4-7 and 17-19 are rejected under 35 U.S.C. §103(a) as unpatentable over Schneid et al in view of Schneid as applied to claim 1, further in view of US patent 6,419,786, Kurtz.

Kurtz discloses a method of treating wood-fiber pulp and particularly wood-fiber pulp that contains recycled paper. The method delivers the pulp to and advances the pulp in a heating zone while delivering steam to the heating zone. Although various supply means, including supply means (30) are disclosed (see column 4, lines 58-62), it is respectfully submitted that claims 4-7 and 17-19 are distinguished over Schneid et al in view of Schneid further in view of Kurtz since these claims all ultimately depend from claim 1, which for reasons presented above, is believed to be distinguished over the cited art.

Referring now to paragraph 9 of the Official Action, it is stated that the application currently names joint inventors. As set forth in the filing receipt mailed on May 21, 2002, the application only names one inventor; namely, Veikko KANKAANPAA. Therefore, this paragraph of the Official Action is in error.

Furthermore, with regard to paragraph 12 of the Official Action, it is stated that with respect to the restriction arguments, the restriction was made final in the previous actions. Paragraph 12 goes on to state that the restriction is still proper because the

apparatus is obvious over Schneid et al. No specific showing of such obviousness is presented in the Official Action, nor is it understood how such a statement relates to the restriction requirement.

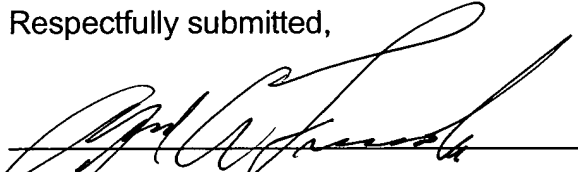
Claim 16 has been canceled since the structure recited is duplicative of pending claim 3.

In view of the foregoing, it is respectfully submitted that the application as amended is in condition for allowance and such action is earnestly solicited.

In order to help expedite prosecution of this application, applicant's attorney respectfully requests the Examiner to contact him if there are any remaining questions concerning this response.

The undersigned respectfully submits that no fee is due for filing this Amendment. The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,



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